

22783 U.S.PTO  
012604

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PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 03-12824

First Inventor BUDZICHOWSKI, Allen J.

Title

Express Mail Label No. EV 400292565 US

00727  
10/765528  
012604**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:  
Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

- Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
- Applicant claims small entity status.  
See 37 CFR 1.27.
- Specification [Total Pages 21]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
- Oath or Declaration [Total Sheets 3]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement (IDS)/PTO-1449
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: Exp. Mail Cert. Cust. No. Use Req. ....  
check:.....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation       Divisional       Continuation-in-part (CIP)      of prior application No.: .....Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_  
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS** Customer Number: 25189 OR  Correspondence address below

Name	Donald M. Cislo, Esq.		
Address	Cislo & Thomas LLP 233 Wilshire Boulevard, Suite 900		
City	Santa Monica	State	CA
Country	USA	Telephone	(310) 451-0647
Zip Code	90401-2015		
Fax	(310) 394-4477		

Name (Print/Type)	Donald M. Cislo, Esq.	Registration No. (Attorney/Agent)	22,060
Signature	<i>D. M. Cislo</i>		
Date	1-26-09		

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

012604  
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# FEE TRANSMITTAL for FY 2004

*Effective 10/01/2003. Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)  
**640.00**

**Complete if Known**

Application Number	Filed Herewith
Filing Date	Filed Herewith
First Named Inventor	BUDZICHOWSKI, Allen J.
Examiner Name	Not yet known
Art Unit	Not yet known
Attorney Docket No.	03-12824

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
03-2030

Cislo & Thomas LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b> (\$)			385.00

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
34	-20** = 14	X 9.00	= 126.00
Independent Claims 6	- 3** = 3	X 43.00	= 129.00
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b> (\$)		255.00

*\*\*or number previously paid, if greater; For Reissues, see above*

**3. ADDITIONAL FEES**

**Large Entity** **Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$)

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(Complete if applicable)

<b>SUBMITTED BY</b>	(Complete if applicable)		
Name (Print/Type)	Donald M. Cislo, Esq.	Registration No. (Attorney/Agent)	22,060 Telephone 310/451-0647
Signature	<i>Donald M. Cislo</i>		
Date	1-26-04		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re the application of:

**BUDZICHOWSKI, Allen J.**

Serial Number: Filed Herewith

Filed: Filed Herewith

For: **SYSTEM AND METHOD FOR IDENTIFICATION**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
M/S: DESIGN Application

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Express Mailing Label No. EV 400292565 US

Deposited: 1-24, 2004

Dear Sir or Madam:

Enclosed herewith are the following:

1. Patent Application Transmittal Letter (1 page) and Fee Transmittal noting small entity status (1 page);
2. Check in the amount of \$640.00 for filing fees;
3. Patent Application (13 specification pages; 7 claim pages; 1 abstract page; and 2 drawing pages, for a total of 23 pages);
4. Non-publication Request and Certification (1 page);
5. Declaration and Power of Attorney for Patent Application (3 pages);

6. Request for Use of Customer Number (1 page);
7. Small Entity Assertions (Inventor and DMC);
8. Acknowledgement Postcard.

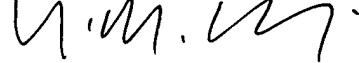
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R., Section 1.10, on the date indicated above and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
M/S: DESIGN PATENT APPLICATION

Respectfully submitted,

CISLO & THOMAS LLP

Date: 1-24, 2004

  
\_\_\_\_\_  
Donald M. Cislo  
Reg. No. 22,060

CISLO & THOMAS LLP  
233 Wilshire Boulevard, Suite 900  
Santa Monica, California 90401-1211  
Tel: (310) 451-0647  
Fax: (310) 394-4477  
[www.cislo.com](http://www.cislo.com)

DMC:SC

Enclosures

As listed above

Z:\ARCHIVE\TMDOCS\03-12824\12824 EXPRESS MAIL CERTIFICATE.DOC

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of inventor(s): BUDZICHOWSKI, Allen J.

Serial Number: Filed Herewith      Examiner: Not yet known

Filed: Filed Herewith      Art Unit: Not yet known

For: **SYSTEM AND METHOD FOR IDENTIFICATION VERIFICATION**

MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i) and 37 C.F.R. § 1.213(a)**

Dear Sir:

Under 37 C.F.R. § 1.213(a), Applicant respectfully requests that the application captioned above and filed herewith not be published pursuant to 35 U.S.C. § 122(b) and/or 37 C.F.R. § 1.211.

Applicant certifies that the invention(s) disclosed in the said application has not been and will not be subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

Respectfully submitted,

CISLO & THOMAS LLP

Dated: 1-26-, 2004

DM  
Donald M. Cislo, Reg. No. 22,060

DMC/sc  
CISLO & THOMAS LLP  
233 Wilshire Boulevard, Suite 900  
Santa Monica, California 90401  
Tel: (310) 451-0647  
Fax: (310) 394-4477

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

**BUDAICHOWSKI, Allen J.**

Serial Number: Filed Herewith      Examiner: Not Yet Assigned

Filed: Filed Herewith      Art Unit: Not Yet Assigned

For: **SYSTEM AND METHOD FOR IDENTIFICATION VERIFICATION**

M/S: DESIGN PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

### REQUEST FOR USE OF CUSTOMER NUMBER

Dear Sir or Madam:

Applicant's representative has the following customer number lodged with the Patent Office:



**25,189**

**25189**

PATENT TRADEMARK OFFICE

The Office is respectfully requested to use this customer number (the bar code for which is above) for correspondence purposes as well as for online access via the PAIR system with respect to the present application.

Respectfully submitted,

CISLO & THOMAS LLP

Date: 1-26-2004

D. M. C  
Donald M. Cislo  
Reg. No. 22,060